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SUBJECT: South China EPB Structural Deficiencies Hurt Enforcement

**¶11.** (U) Environmental accidents and major polluting discharges occur with all too frequent regularity in south China, the result of a failure to enforce existing regulations and to punish those who profit by ignoring public health and welfare. Even with increased media attention and campaigns by authorities to demonstrate that their commitment to enforcement is genuine, the real underlying problem is the lack of an environmental framework and infrastructure. There are four clear cut challenges that EPA Science fellow and Congen S and T officer believe China needs to address in order to deal with its overarching problems

Challenges to Creating Advanced Environmental Framework and Infrastructure in China

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**¶12.** (U) First, detailed environmental permits are needed to build a fair and transparent compliance and enforcement program. Environmental permits must be clear and enforceable. Permits should be specific for each discharger. Such permits should contain daily and longer term (weekly or monthly) limits for all pollutants of concern as well as specify monitoring requirements, including specific sampling and analytical procedures. They should also include reporting requirements. Permits can be an effective tool to ensure that facilities develop accident prevention programs and spill response plans. Permits issued today vary greatly within a single Environmental Protection Bureau (EPB). Companies need to know exactly what they have to do, and compliance and enforcement has to be fair and transparent.

**¶13.** (U) Second, inspections need to be effective; and environmental monitoring needs to be properly conducted and reported. Inspectors should first review existing permits and submitted reports. They should be trained to observe good practices in the plants and should be taught to identify areas of concern. Inspectors should be able to advise facilities -- after looking at both the production process and the treatment plant -- about good housekeeping techniques and sound management practices. Follow-up measures also have to be factored into all planning.

**¶14.** (U) Moreover, specific locations should be identified along with sampling protocols. All data should be reported to the environmental authority, not just the samples that show compliance. Facility inspections should also include visits to the sampling locations and laboratory. Instruments and lab notebooks should be checked, and concerns should be addressed by the discharger.

**¶15.** (U) Third, new factories as well as existing factories that are expanding their operations need to be encouraged to use cleaner production equipment. Cleaner production - using production methods and equipment that efficiently convert resources to products, prevent pollution, minimize waste, and reduce energy usage - should

be encouraged, especially when new factories are designed, constructed, and during expansions at existing plants. Pollution prevented or reduced at the source offers important economic benefits.

¶6. (U) More attention needs to be given to controlling thousands of small and medium size businesses that discharge heavy metals, organic solvents, oils, and other pollutants to municipal sewage treatment facilities.

¶7. (U) Finally, Municipal sewage agencies in south China are responsible for operating treatment plants, but they have no control over industries that discharge into sewer systems. The EPBs are responsible for controlling indirect dischargers. But they have many other duties and such indirect discharging is a lower overall priority compared to factories discharging directly into rivers. EPBs need special resources dedicated to inspecting and controlling the thousands of indirect dischargers. Another possibility would be to delegate these responsibilities to the municipal sewage agencies where user charges and fees could finance inspections, monitoring, and proper control of indirect discharging industries.

#### The Way Forward

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¶8. (U) Strengthening environmental permits, increasing inspections, monitoring the building blocks that go into each program, promoting cleaner production, and controlling indirect industrial dischargers into municipal sewage systems will help the Chinese State Environmental Protection Administration (SEPA) and EPBs develop and implement a strong compliance and enforcement program. When everyone knows what the requirements are, and a real environmental and compliance framework is in place to enforce the requirements, China will be better able to stop wastewater discharges and the

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pollution of the streams and rivers of the Pearl River Delta.

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